

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

RICHARD FIELDS,

Plaintiff,

v.

TRAVELERS INDEMNITY COMPANY,

Defendant.

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CIVIL ACTION NUMBER:

2:08-CV-155-WKW

**RESPONSE TO THIS COURT’S BRIEFING ORDER
REGARDING AICH’S MOTION TO DISMISS**

COMES NOW Defendant The Automobile Insurance Company of Hartford, Connecticut (“AICH”), improperly identified in Plaintiff’s Complaint as “Travelers Indemnity Company,” and in further support of its Motion to Dismiss Plaintiff’s Bad-Faith Claims, states as follows:

1. On March 12, 2008, Defendant AICH filed its Motion to Dismiss Plaintiff’s Bad-Faith Claims. [Doc. 5].
2. AICH’s Motion establishes that Plaintiff’s bad-faith claims are due to be dismissed as they were not timely asserted and, therefore, are barred by the applicable statute of limitations. [See Doc. 5].
3. On March 21, 2008, this Honorable Court entered a briefing order in which it required Plaintiff respond to AICH’s Motion no later than April 11, 2008. [Doc. 6].
4. Plaintiff has filed no response to AICH’s Motion to Dismiss. Accordingly, AICH’s Motion is unopposed and is due to be granted.

WHEREFORE, PREMISES CONSIDERED, AICH respectfully moves this Honorable Court to enter an Order dismissing each of the bad-faith claims asserted in Plaintiff's Complaint on a full and final basis.

Respectfully submitted,

/s/ Candace L. Hudson

Brenen G. Ely (asb-0366-e54b)

Joel S. Isenberg (asb-8855-n76j)

Candace L. Hudson (asb-8314-n66h)

Attorneys for Defendant The Automobile Insurance Company of Hartford, Connecticut, improperly identified in Plaintiff's Complaint as "Travelers Indemnity Company"

OF COUNSEL:

ELY & ISENBERG, LLC

600 Beacon Parkway West, Suite 104

Birmingham, AL 35209

Telephone: (205) 313-1200

Facsimile: (205) 313-1201

CERTIFICATE OF SERVICE

I do hereby certify that a true and accurate copy of the foregoing has been served on all parties of record via the federal court efile system on this the 15th day of April, 2008.

James M. Smith, Attorney at Law, P.C.

10A Commerce Row

529 South Perry Street

Montgomery, Alabama 36104

/s/ Candace L. Hudson

OF COUNSEL